

**CITY OF CANANDAIGUA  
PLANNING COMMISSION  
COURT ROOM, CITY HALL  
2 NORTH MAIN STREET**

**February 9, 2016 - 7:00 P.M.**

PRESENT: Chairperson James Mueller  
Commissioner Stan Taylor  
Commissioner Jeff Ayers  
Commissioner Glenn Colliss  
Commissioner Adrienne Kantz  
Commissioner Torsten Rhode  
Commissioner Anne Beyer

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairperson Mueller called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairperson Mueller asked if anyone had any additions or corrections to the January 12, 2016 Regular Meeting Minutes. Additions were noted. Commissioner Rhode moved to approve the minutes as amended. Commissioner Kantz seconded the motion, which carried by voice vote (7-0).

**REVIEW OF APPLICATIONS:**

**ITEM 1 Application #16-001: 237 South Main Street, SCHERER STOVE & CHIMNEY, for Historic Alteration to install a 30 SF wall sign. (Relocation from 37 S. Main St.) (Tabled from January 12, 2015 meeting)**

Steve Scherer presented the application. He proposes to relocate a sign that was approved by the Planning Commission last February. A black border has been added to the sign. He said that he has lost business due to waiting the 30 days from the application being tabled.

Commissioner Ayers moved to lift the application from the table. Commissioner Taylor seconded the motion.

Commissioner Taylor finds that with the black border added the sign makes it more consistent with other shops. He believes that Mr. Scherer has made a great effort to comply.

Mr. Scherer suggested in the future, that established businesses are given a temporary permit for their relocated sign to avoid the hardship he faced. Chairperson Mueller said he would bring this to the Council’s attention, as it is a good point.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Ayers moved the Planning Commission Approve the application as submitted and presented. Commissioner Colliss seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 2      Application #16-024: 343 North Main Street, THE YOUNG AGENCY, Architectural Review, to install two wall signs: 1) 28 SF (front), 2) 15 SF (side street)**

Dana Hollenbeck from Geneva presented the application. She is proposing signage on both Main Street and Buffalo Street.

Chairperson Mueller confirmed that there was no exterior lighting.

Commissioner Taylor recommended that both signs be at the same height.

Commissioner Rhode believes the phone number on the sign is so prominent that it diminishes the logo. Also, that the word “call” was redundant with a phone number.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The size of the phone number shall be reduced.
2. The word “call” shall be eliminated.

Commissioner Beyer seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 3** (Public Hearing) Application #16-009: 20 Phoenix Street, JAMES NADAL, for a Special Use Permit, residential use in combination with other permitted use (single apartment over a commercial space).

Daniel Long, Architect from Geneva, presented the application. The applicant is requesting a Special Use Permit for a Residential Use in Combination with Other Permitted Uses.

Chairperson Mueller opened the Public Hearing. No one was present. The Public Hearing was closed.

Commissioner Ayers asked if the shed on top of the building is an addition to the last meeting plans. Mr. Long stated it is a minor expansion from last time; they are planning a roof top terrace over original part of the house. Chairperson Mueller noted that the alteration would need to be approved as this is a historic structure. A new application would need to be submitted for this element.

Chairperson Mueller asked if there were any further comments or questions from the commission regarding the Special Use Permit.

Commissioner Taylor moved the Planning Commission Approve the application as submitted and presented. Commissioner Ayers seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 4**      **(Public Hearing) Application #16-016: 800 South Main Street, NEW YORK WINE & CULINARY CENTER, INC., Renewal of a Special Use Permit to operate a two-day Finger Lakes Riesling & Craft Beer Festival.**

Lauren Dixon presented the application with no changes from last year. Mr. Brown noted this Special Use Permit requires approval every two years. After two renewals and no changes, the use becomes permanent. This would be the first renewal. Mr. Brown also noted the festival has been well run in the past and he is not aware of any concerns with the event at this location.

Chairperson Mueller opened the Public Hearing.

Steve Howie, Canandaigua Sailboarding, believes there is substantial impact on the community during the festival. Traffic is heavy and there is concern with safety issues. Most local businesses are literally shut down for the two days of the festival. There are too many people in a congested area. He asks that the city consider the negative impact on other businesses.

Laura Dixon offered valet service for Mr. Howie's customers during the festival.

Ms. Dixon said there is onsite security. There is parking at the old Wegman's parking lot and shuttle service to FLCC, and that has sufficed in past years. Traffic is not shut down.

Chairperson Mueller closed the Public Hearing.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission **Approve** the application as submitted and presented with the following condition:

1. During the festival, valet services will be offered to the customers of Canandaigua Sailboarding.

Commissioner Taylor seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 5 (Public Hearing) Application #16-017: 205 Lakeshore Drive, CANANDAIGUA HOTEL AND CONFERENCE CENTER (aka “Steamboat Landing”) Amendment to Final Site Plan approved on March 7, 2013.**

Jerry Goldman, attorney and agent for Robert Morgan and David Christa presented the application. With him were Adam Macinno, McFarland Johnson; Dave Hanlon, project architect; and Doug McCord, the project engineer.

Mr. Goldman provided a history of the site. He said that the Morgan-Christa group has taken a fresh look at the development. Presently there are two city-owned parking lots. Lot B provides 103 parking spots. Lot D provides 124 parking spaces. These lots provide parking for Kershaw Park, Canandaigua Lady and the Lagoon. The current hotel proposal is for a 208 room hotel (no condos), a public restaurant with indoor and outdoor eating and a conference center. The current site provides far less parking than is needed. The request is for 703 parking spaces. This is to be accomplished by adding a 3-story parking garage. The parking structure provides enough parking and is more convenient, out of the elements with no snow removal. He also said the structure provides for better aesthetics for the property in general, instead of having asphalt from property line to property line, there is more green space and positive environmental benefits.

Adam Fercino, McFarland, presented the parking analysis. This is an update to the previous site plan in 2009 and revision in 2013.

Mr. McCord said the site plan has been referred to the Fire Chief, who recommends that the garage be connected by a bridge, under which fire trucks could pass. Mr. provided a sketch plan that addresses this concern, indicating a drive lane between the garage and the hotel. Also, new landscaping with evergreen trees to help screen the garage.

Dave Hanlon addressed the appearance of the parking garage. He said they had met with the Rosepark neighbors and found that visual impact was their main concern. He presented visual simulations of the garage. At the last meeting the design had gable elements intended to blend with the facade of the hotel, but these raised the elevation. The current plan is lowered by one story with no gables. Berming on the side drastically reduces the visual height of the building.

Mr. Goldman acknowledged Commissioner Taylor's comment regarding security. He said the entire area will be monitored with cameras. Mr. Taylor requested a written plan.

Chairperson Mueller opened the Public Hearing.

Charles and Barbara Battle, 141 Lakeview Way, oppose the parking garage. Mr. Battle is also representing Ralph and Audrey Blum (131 Lakeview Lane) and Larry and Rosemary Gleason (135 Lakeview Lane), as they are in Florida. He said Rosepark is a peaceful, residential area which enjoys the lakefront. He feels the values of property will decrease if the parking garage is approved. He believes a parking garage belongs in an urban development. The view of a large parking garage is not a desirable condition. He said the city may be “stuck” with the hotel, but he challenges the location of the garage. He said he is appreciative of Morgan and Christa’s

involvement and anticipates the same professional and hospitality as the Strathallen, where there is no parking garage. He said he wishes success for the project but he requests an alternative solution to the parking garage. He suggests a valet service.

Michael Yarger, property owner in Canandaigua, said he has not had adequate time to review the information. He has filed a FOIL request with the City for the old parking study and has yet to receive it. He asks the commission to postpone the decision so he has more time to prepare comments.

Carol Houle, Smith Road in Hopewell, opposes the parking garage. She said she was recently a victim of the traffic when she was in an accident in December. She said her son is in heaven because of traffic. She said that the noise from the performance art center and the race track make it too loud to sit outside and enjoy summer nights.

Michael DeGaetano, 175 Carousel Lane, said he has a different opinion. He said the community should embrace the project and make it as successful as it can be. He feels it is a huge plus that these respected developers are associated with the project. He can understand them wanting a parking garage. The Inn on the Lake has parking all over the place. But he said that he has a significant investment in his property at Rosepark and he asks for special consideration to mitigate the noise and light. He said that taller trees are appreciated, but trees do not do much about the noise. He questioned the location of the emergency generator, it would be much appreciated if that were placed on west side of the property because of noise. He said he thought this was a fantastic project that the neighbors and governing body should approve. If we take care of them, they will take care of us in the long run.

Jim Kelly, City of Canandaigua business owner, asked what was originally approved for the parking.

Nancy Wolk, 145 Lakeview Way, opposes the parking garage. She was drawn to the community for its beauty. She believes the enormous parking structure will be a travesty. There will be a loss of views. She displayed photos that she took of the site. She said the images presented by the developer were deceiving. She is concerned with the loss of property value. She noted there are no parking garages on any of the Finger Lakes. She asked about the exact dimensions of the garage (square footage, width and length). She asked the commission to address the SEQR requirements, to update and review the original SEQR analysis. She said she was not opposed to the hotel but would appreciate staying with the original plans. She asked why the project needs should outweigh those of the community. She said the Planning Commission has an obligation to act on the citizens' behalf.

Maria Bucci, 150 West Gibson Street, opposes the parking garage. She said her main concern is that the parking study has been done in isolation. There are other parking lots that will be built in the vicinity. There will be public parking off Muar Street and Pinnacle North will have a parking garage and additional parking will be built in later phases of this project. She would like the commission to take another look at the study and consider the larger picture and consider other

options. She said resort properties usually do not have a parking garage, instead they offer shuttle transportation.

Stephen Uebbing, 236 Roseland Lane, opposes the parking garage. He submitted a handout of Powerpoint slides he prepared. He does not question the need for additional parking, Morgan and Christa would not spend that kind of money if they did not feel it was required to make the project work. However, he said that he was opposed to sitting a parking garage on the lake. He indicated through his handouts the visual impact of the parking garage. He also has concerns about the traffic on Lakeshore Drive, which he said is the busiest two-lane road in Canandaigua. He also expressed concerns about the noise from the parking garage. He said he would like to see the project succeed, but he recommended the project consider other options for parking. He suggested valet service instead.

Jim Barr, 242 Roseland Lane, asked about the two or three work sessions where the Planning Commission met with developers without public. Chairperson Mueller said these were open public meetings. The public was present, but no comments were taken.

Chairperson Mueller did not close the public hearing. He said at this point the application is still incomplete and he will take public comments after everything required is submitted. Written comments can be also submitted to the City Planning Commission.

Chairman Mueller said that all the changes discussed by the applicant needed to be submitted. He also asked for a SEQR Consistency Analysis that compares this project to what was evaluated previously. He said there should be an updated traffic analysis.

Commissioner Taylor asked if the Fire Chief had seen the revised site plan. Mr. Brown said that he had not, it was submitted just now.

Commissioner Taylor said that he had visited the site and viewed the site from various perspectives. He said he would need some time to assimilate everything he heard tonight.

Commissioner Rhode agreed. He said he would still like the developer to investigate other possibilities.

Commissioner Ayers asked if the project would warrant a traffic light on Lakeshore Drive. Mr. Goldman said that previous analysis showed that a traffic light was not warranted, but they were looking at the possibility of a stop sign.

Commissioner Ayers said that the traffic flow on site seemed very chaotic. Mr. Goldman said they were working on improving that.

Commissioner Colliss said that from the parking study he gathered that the peak parking needs were primarily in summer months, not year round. He does not understand why the garage would be built for a seasonal need. He said he does not understand why other options, have not been not explored.

Commissioner Kantz asked why the parking lot could not be located in the northwest corner of the site. Mr. Hanlon said that the configuration of that area does not work. Parking garages are less efficient if you cannot get a minimum length for the ramps.

Mr. Goldman concluded by saying they had a lot of homework to do and he appreciates the public and commission’s comments and concerns.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission Table the application so as to allow the applicant to complete the following:

1. Revised Site Plan based on the reconfiguration discussed at the meeting.
2. Revised architectural elevations of the garage façade as discussed at the meeting.
3. Consistency Analysis with the regard to the 1989 SEQR Environmental Impact Statement and the subsequent SEQR findings in 2009 and 2013.
4. Revised traffic analysis.
5. Additional rendering from a “camera point” located between #2 and #4 of the submitted documents.
6. Written safety plan for the operation of the parking structure.

Supporting information should be submitted by March 1<sup>st</sup> to be placed on the next Planning commission agenda of March 8, 2016.

Commissioner Kantz seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 6 (Public Hearing) Application #16-018, 491 South Main Street, CITY MINI STORAGE, for an Amendment to Site Plan granted September 8, 2009, to construct 8 additional storage buildings.**

Nick Smith, DDS Company, West Henrietta presented the application. Also present was Tim Stone from City Mini Storage. This project was originally approved by Use Variance in 1985 and a Site Plan was approved in 1986. The current proposal (Phase III) involves the construction of the last eight units and expanding the stormwater basin.

Mr. Brown explained that a phased site plan was approved in 2009. That approval was granted with the condition that the applicant return to the Planning Commission before constructing the last phase. So this is not really an amendment, but simply a confirmation of that 2009 plan.

Mr. Mueller confirmed there would be no open storage on site after the completion of this phase. Mr. Stone said that in the future they might consider a new location for open storage.

Submitted are the plans as well as a letter affirming the adequacy of the stormwater basin.

Chairperson Mueller opened the Public Hearing. No one was present. The Public Hearing was closed.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Taylor moved the Planning Commission Approve the application as submitted and presented.

Commissioner Rhode seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**WORK SESSION****ITEM 1     **Application #16-023: 229 Bristol Street, BRIGHAM HALL CONDOMINIUMS, Historic Alteration, to demolish structure.****

Bruce Lang, Brigham Hall President, spoke concerning "The Carpenter Shed" which has fallen in disrepair. He provided pictures for the commission. They have tried to sell and even give away the building. At some point the roof had been compromised and the floor structure has collapsed into the basement.

Commissioner Rhode is concerned that another building in the City cannot be saved due to neglect. He suggested an amendment to the ordinance that requires maintenance of historic structures so this does not happen

Commissioner Kanz inquired as to the condition of the foundation. Mr. Lang said that every attempt has been made to save the foundation. He said there were plans to save the fieldstone foundation and create a sitting area, possibly some type of shade structure and some signage explaining the history of the property.

Mr. Brown asked if the commission would like to see financials from applicant at next meeting. Commissioner Ayers said he would.

Commissioner Taylor said he is comfortable with the demolition based on what he's seen.

**MISCELLANEOUS:****ITEM 1     **Referral from the City Council: Ordinance 2016-001; permitting "tobacco stores" in the C-1 zone district.****

Mr. Brown explained that this amendment was initiated by the *Santiago Cigar Factory* which wants to locate within a storefront at the intersection of North Main Street and Chapel Street. The use proposed is considered a form of a "tobacco store". This is not a use permitted in the C-1 "Restricted Commercial District", but it is a use permitted in every other commercial district in the city: C-2 "Central Business District", C-3 "Heavy Commercial District", and even C-L "Commercial Lakefront District". To allow this use to go forward, the Council is proposing to add "Tobacco Stores" as a permitted use in the C-1 Zone Districts.

Commissioner Ayers suggested that tobacco stores be allowed by Special Use Permit.

Commissioner Taylor said he is not in favor of the change. He believes the city should be trying to reduce adolescent smoking and that such a use should not be permitted near schools or along routes of children walking to school.

Mr. Brown said that he had seen laws related to “tobacco stores” that prohibited such uses within 500 feet of schools, but this zone district is more than half a mile from the middle school and nearly a mile from the high school.

Commissioner Ayers noted that there is a school crossing guard at this intersection.

Commissioner Rhode questioned whether it is the type of business that we want on Main Street.

Commissioner Kantz said there were plenty of spaces where this use is already permitted.

Commissioner Colliss said it was arbitrary to prohibit tobacco stores in this zone district when alcohol sales are permitted.

Commissioner Colliss moved to support the zoning change. Commissioner Ayers seconded the motion, which carried (4 - 3)

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	NO
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	NO
Commissioner Beyer	Voting	NO

**ITEM 2      New York State proposal to expand the City of Canandaigua Historic District.**

Mr. Brown explained that the city had received correspondence from New York State Historic Preservation Office that they proposed to expand the historic districts. Letters were also sent to impacted property owners, about 80 properties. He said that they intend to act on this at their March 22 meeting.

This letter states that there are no impacts to this state designation, which is technically correct. This is a state designation that does not involve city government and has no appreciable impacts to the newly designated properties. Only local preservation regulations can impact designated

Mr. Brown said that the city would probably want their local preservation district to match that of the State and National Register of Historic Places. Therefore, this action could lead to an expansion of regulated properties.

Mr. Brown said that the City Council’s Planning Committee discussed this on February 2<sup>nd</sup> and asked for an extension to the March 22 meeting.

**ADJOURNMENT:**

Commissioner Taylor made the motion to adjourn the meeting at 9:55. Commissioner Colliss seconded the motion, which carried with a voice vote of 7-0.